

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ATHENA ART FINANCE CORP.,

Plaintiff,

Case No. 20-cv-4669 (GBD)

-against-

that

CERTAIN ARTWORK BY JEAN-MICHEL
BASQUIAT ENTITLED HUMIDITY, 1982,
In Rem,

Defendant,

**Civil Case Management Plan
and Scheduling Order**

SATFINANCE INVESTMENT LIMITED and
DELAHUNTY LIMITED d/b/a
DELAHUNTY FINE ART,

Interested Parties.

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After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

1. An initial pretrial conference will be held on October 15, 2021, at 9:30 a.m. at the United States District Courthouse, 500 Pearl Street, New York, New York, Courtroom 11A.
2. No additional parties may be joined after January 7, 2021.
3. No amendment to the pleadings will be permitted after January 7, 2021.
4. Rule 26(a) disclosures shall be exchanged between the parties on October 29, 2020.

5. Except for good cause shown, all discovery shall be commenced in time to be completed by March 15, 2021. The court expects discovery to be completed within 90 days of the first scheduling conference unless, after the expiration of that 90 days period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to complete discovery. In such event, discovery may be extended by the parties on consent, without application to the court, provided the parties are certain they can still meet the discovery completion date ordered by the court. The discovery completion date shall not be adjourned except upon a showing of extraordinary circumstances. Initial disclosures pursuant to Rule 26(a) shall be provided by all parties within fourteen days of the date of this Scheduling Order. Initial requests for production and interrogatories (as provided for by S.D.N.Y. Local Rules) shall be served on or before

Thursday, November 5, 2020, and written responses and responsive documents shall be provided so that they are received on or before Monday, December 7, 2020. Follow-up requests for document production shall be served on or before Monday, December 21, 2020, and written responses and responsive documents shall be provided so that they are received on or before Friday, January 22, 2021. Depositions of the parties shall be completed by Friday, February 26, 2021. Non-party deposition subpoenas shall be served on or before Friday, March 5, 2021.

6. Expert reports shall be served on Monday, March 15, 2021. Rebuttal reports will be exchanged on Monday, April 12, 2021 and expert discovery will be completed by Friday, May 14, 2021.

7. Dispositive motions are to be served by Monday, June 21, 2021. Answering papers are to be served within 28 days. Reply papers are to be served within 14 days.

8. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be set by the Court, but no earlier than three weeks from the decision on the motion. The final pretrial conference shall be adjourned to a date four weeks from the decision on the motion. Should no party submit a dispositive motion, the Joint Pretrial Order will be filed no later than _____, 2021 and a final pretrial conference will be held on _____, 2021.

9. The requirements for the pretrial order and other pretrial submissions shall be governed by the court's Individual Rules of Practice.

10. All motions and applications shall be governed by the court's Individual Rules of Practice.

11. The parties shall be ready for trial within 48 hours, notice on or after _____, 2021. The estimated trial time is five days, and this is a jury trial.

12. A Subsequent Case Management Conference will be held on _____ 2021, at _____ a.m.

Dated: October 15, 2020
New York, New York

ATHENA ART FINANCE CORP.,

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So Ordered

Hon. George B. Daniels, USDJ